IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.1786/07

Vijendra Kumar Bagoria **Versus** State & Anr.

DATE OF ORDER :: 23/10/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. S.L. Songara, for petitioner
Mr. Arun Sharma, Public Prosecutor for State

***

Instant petition has been filed assailing the order dt.11th September, 2007 whereby application seeking permission for transfer u/s.408 Cr.P.C. was dismissed by learned trial Judge by a detailed order.

Present accused-petitioner is facing trial for offence committed u/s.138 of Negotiable Instrument Act and matter has riped up for final hearing. Earlier also application was filed by him for transfer which was dismissed by learned District Judge on 20th January, 2006 – against which he had approached this court by filing misc. petition that too was dismissed on 24th May, 2006. Thereafter, he came out with fresh application in which he alleged that the lawyer of complainant once seen coming out from the Chamber of Presiding Officer as such he has apprehension that he will not get justice in the matter and accordingly, requested for transfer of the case for which he is facing trial. Learned

District Judge after taking note of such frivolous allegation for transfer of case in question has dismissed the same by a detailed order dt.11th September, 2007.

This court has gone through the order and so also application seeking transfer filed by accused-petitioner u/s.408 Cr.P.C. and does not find any substance to interfere under order impugned.

Consequently, the misc. petition fails and is hereby dismissed.

[AJAY RASTOGI],J.